

## **complaint**

Mr P complains that Marlin Financial Services Limited ("the business") is chasing him for a debt that doesn't belong to him.

## **background**

Mr P is unhappy that the business is pursuing him for a debt associated to an Egg account that he says he never held, and that it's registered adverse credit information on his file.

He explains that in February 2014 the business called him and as part of its security checks it asked him to confirm some personal information. He says that he was then told about an outstanding balance had been allocated to him. He believes that this allocation was done during the phone-call.

Mr P says that he knows nothing about the debt, and that the information on the application form didn't relate to him.

Mr P is unhappy that the business has recorded adverse information on his credit file relating to this account, and he complained to this service.

We contacted the business, and it explained to us that from the evidence it held it was sure that the account did belong to Mr P, and that it wasn't a case of mistaken identity.

Our adjudicator considered the evidence, and agreed that it all pointed to the fact that the debt was Mr P's, and that it didn't look like he had been a victim of identity theft, or that the debt had been incorrectly allocated to him during the initial phone-call with the business.

For these reasons, she didn't uphold the complaint. But Mr P didn't accept this view, and sought referral to an ombudsman.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having done so, I think our adjudicator was right to conclude that the account did belong to Mr P, and that the business hadn't been wrong to try to recover the money, and record this on his credit file.

I say this having considered all of the evidence about the account itself, including the account holder's personal information and bank details, all of which match Mr P's. The only information that didn't match were salary and employment details.

Also, and crucially, the bank account from which historic payments were made to the Egg account has been confirmed by the bank as Mr P's genuine account, which was closed in 2009. Not only this, but some of the payments were subject to a direct debit indemnity, which could only have been done by Mr P, and shows that from this point it's not possible for him not to have known about the account.

I should also mention that despite Mr P maintaining that he was a victim of identity fraud, and saying that he'd reported the matter to the police, the police have no record of him ever having contacting them.

In summary, I'm afraid I have to say that I'm not convinced by Mr P's version of events. Instead, I'm persuaded by the evidence that the Egg account taken over by the business did belong to him.

For these reasons, I can't say that the business has done anything wrong, and I won't be upholding the complaint.

**my final decision**

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 1 July 2015.

Ashley L B More  
**ombudsman**